

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

Freedom Wireless, Inc.,

Plaintiff,

V.

Alltel Corporation, et al.,

Defendants.

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CASE NO. 2:06-CV-00504-TJW-CE

CONSENT JUDGMENT AGAINST COMVERSE, INC.

On April 10, 2009, plaintiff Freedom Wireless, Inc. (“Freedom Wireless”) and defendant Comverse, Inc.’s (“Comverse”) Joint Motion for Entry of Consent Judgment (“Joint Motion”) came before the Court in the above captioned action. The parties were all represented by counsel.

Having considered that Joint Motion, and subject to all stipulations and agreements set forth in the Joint Motion, it is hereby ORDERED, that:

- (1) This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a) and has personal jurisdiction over Freedom Wireless and Comverse.
- (2) Judgment is entered for Freedom Wireless and against Comverse with respect to:
 - (a) Count I (Infringement of the ‘067 Patent);
 - (b) Count II (Infringement of the ‘823 Patent); and
 - (c) Count III (Infringement of the ‘851 Patent)

each in Freedom Wireless's Fourth Amended Complaint, dated November 24, 2008 and as more fully described in Freedom Wireless, Inc.'s Disclosure of Asserted Claims and Infringement Contentions Pursuant to Patent Rule 3-1, as heretofore amended or supplemented;

(3) Judgment is entered for Freedom Wireless and against Comverse with respect to Comverse's:

(a) First Counterclaim (Declaratory Judgment of Noninfringement of the '067 Patent);

(b) Second Counterclaim (Declaratory Judgment of Invalidity of the '067 Patent);

(c) Third Counterclaim (Declaratory Judgment of Unenforceability of the '067 Patent);

(d) Fourth Counterclaim (Declaratory Judgment of Noninfringement of the '823 Patent);

(e) Fifth Counterclaim (Declaratory Judgment of Invalidity of the '823 Patent);

(f) Sixth Counterclaim (Declaratory Judgment of Unenforceability of the '823 Patent)

(e) Seventh Counterclaim (Declaratory Judgment of Noninfringement of the '851 Patent);

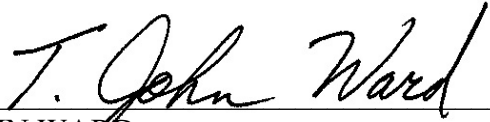
(f) Eighth Counterclaim (Declaratory Judgment of Invalidity of the '851 Patent);
and

(g) Ninth Counterclaim (Declaratory Judgment of Unenforceability of the '851 Patent).

each in Defendant Comverse, Inc.'s Answer and Counterclaims to Plaintiff's Fourth Amended Complaint.

- (4) All other claims for relief that were or could have been brought in the Fourth Amended Complaint or Comverse's Answer and Counterclaims to Plaintiff's Fourth Amended Complaint shall be dismissed with prejudice.
- (5) Freedom Wireless and Comverse shall each bear its own costs and attorneys' fees of this action.
- (6) This Court retains jurisdiction to enforce the Consent Judgment and performance of the Settlement Agreement (but only to the extent expressly provided in such Settlement Agreement).

SIGNED this 15th day of April, 2009.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE